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10 *Tropicana Las Vegas, Inc.*

11 UNITED STATES DISTRICT COURT
12 FOR THE DISTRICT OF NEVADA

13 JERALD MILLER, an Individual

14 Plaintiff,

15 vs.

16 TROPICANA LAS VEGAS RESORT &
17 CASINO, a Nevada Corporation; DOES 1
through 25, inclusive, and ROE
18 CORPORATIONS 1 through 25, inclusive,

19 Defendants.

Case No.:2:17-cv-00318-APG-CWH

20 **STIPULATION AND ORDER TO**
21 **DISMISS PLAINTIFF'S THIRD,**
22 **FOURTH, AND SIXTH CAUSES OF**
23 **ACTION IN THE FIRST AMENDED**
24 **COMPLAINT**

(First Request)

25 In accordance with Rule 41(a)(2) of the Federal Rules of Civil Procedure and Local Rule
26 LR IA 6-2, Defendant Tropicana Las Vegas, Inc. ("Defendant") and Plaintiff Jerald Miller
27 ("Plaintiff") by and through their respective undersigned counsel of record, hereby stipulate and
28 agree as follows:

1. The Third Cause of Action for Respondeat Superior in Plaintiff's First Amended
Complaint (ECF No. 2) is dismissed with prejudice;

2. The Fourth Cause of Action for Negligent Hiring, Supervision, and/or Training of
Employees in Plaintiff's First Amended Complaint (ECF No. 2) is dismissed with prejudice;

3. The Sixth Cause of Action for Intentional Infliction of Emotional Distress in Plaintiff's First Amended Complaint (ECF No. 2) is dismissed with prejudice; and

4. Defendant hereby withdraws its Motion for Partial Dismissal of Plaintiff's Third, Fourth, and Sixth Causes of Action (ECF No. 8) as it is now moot.

5. Defendant will file an Answer to Plaintiff's First Amended Complaint within 21 days of the Court granting this Order.

DATED this 17th day of March, 2017.

Kang & Associates, PLLC

/s/ Patrick W. Kang

Patrick W. Kang
6480 W. Spring Mountain Road, Suite 1
Las Vegas, NV 89146

Attorneys for Plaintiff Jerald Miller

DATED this 17th day of March, 2017.

Ogletree, Deakins, Nash, Smoak &
Stewart, P.C.

/s/ Dana B. Salmonson

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*Attorneys for Defendant Tropicana
Las Vegas, Inc.*

ORDER

IT IS SO ORDERED.

DATED: March 20, 2017



UNITED STATES DISTRICT JUDGE